

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FRED MEYER STORES, INC.,

Plaintiff,

v.

UNITED FOOD AND
COMMERCIAL WORKER'S
UNION, LOCAL 1439,

Defendant.

NO. CV-09-240-RHW

**ORDER DENYING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION, WITH LEAVE TO
RENEW**

Before the Court is Plaintiff's Motion for Preliminary Injunction (Ct. Rec. 9). A hearing on the motion was held on September 3, 2009. Plaintiff was represented by Daniel Barnhart and Devra Hermosilla. Defendant was represented by Carson Glickman-Flora and Lawrence Schwerin.

At the hearing, the parties indicated that they have reached a tentative settlement and have agreed to enter into arbitration, but asked that the Court retain jurisdiction over the case. The Court agreed, and set a telephonic status conference for **December 11, 2009**.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion for Preliminary Injunction (Ct. Rec. 9) is **DENIED**, with leave to renew.

2. A telephonic status conference is set for **December 11, 2009, at 9:00 a.m.** The parties are directed to contact the Court's conference line at (509) 458-

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1 6380, at the designated time. If the status conference is unnecessary, the parties
2 shall contact Michelle Fox, Courtroom Deputy, at least 10 days prior to the
3 hearing.

4 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
5 Order and forward copies to counsel.

6 **DATED** this 4th day of September, 2009.

7 *S/ Robert H. Whaley*

8 **ROBERT H. WHALEY**
9 Senior United States District Judge

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